

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-10 are pending in the present application. Claims 1, 3, 4, and 7 are amended and Claims 8-10 are added by the present amendment.

In the outstanding Office Action, Claims 1-7 were rejected under 35 U.S.C. § 102(b) as anticipated by Snodgrass et al. (U.S. Patent No. 5,500,650, herein "Snodgrass").

In response to the rejection of Claims 1-7 under 35 U.S.C. § 102(b) as anticipated by Snodgrass, independent Claims 1 and 3 have been amended to recite first and second time periods before the communication apparatus initiates a communication with another communication apparatus or before the communication apparatus responds to a request of the another communication apparatus, and independent Claims 4 and 7 have been amended to recite a time period defined based on a random number and sending a response to an initiator device at a timing determined by another random number. The claim amendments find support in Figures 9 and 10 and their corresponding description on the specification. No new matter has been added.

Briefly recapitulating, amended Claim 1 is directed to a communication apparatus for sending and receiving data by electromagnetic waves. The communication apparatus includes, *inter alia*, a detector configured to detect a radio frequency field within a first time period before the communication apparatus initiates the communication with another communication apparatus, and within a second time period before the communication apparatus responds to a request of the other communication apparatus. The first time period is defined as a sum of (i) a first initial delay time and (ii) the product of a random number and a first radio frequency waiting time. The second time period is defined as a sum of (i) a second initial delay time and (ii) the product of a second random number and a second radio

frequency waiting time that is smaller than the first radio frequency waiting time.

Independent Claim 3 has been amended similar to independent Claim 1.

Turning to the applied art, Snodgrass shows in Figure 10 how a commander station interacts with responder stations in order to determine a physical route to be pursued by each responder station (the responder station is a luggage tag on an airport conveyer). As shown in Figure 10, Snodgrass broadcasts a message from the commander station at step 216 and checks whether responses are received from the responder stations at step 220. However, Snodgrass does not teach or suggest first and second waiting times associated with block 220, depending whether the station is a commander or a responder station as requested by amended Claims 1 and 3.

Further, Snodgrass discloses at column 13, line 23, to column 14, line 42, that only the commander station can request information from the responder station and not the other way around. However, amended Claims 1 and 3 require that the communication device acts both as commander and responder station.

Accordingly, it is respectfully submitted that independent Claims 1 and 3 and each of the claims depending therefrom patentably distinguish over Snodgrass.

Regarding independent Claim 4, Claim 4 is directed to a communication apparatus for sending and receiving data by electromagnetic waves. The communication apparatus includes, *inter alia*, a detector that detects a radio frequency field within a time period before the communication apparatus responds to a request of the other apparatus. The time period is defined by $T_{ADT} + n' \times T_{RFW}$, where T_{ADT} is an initial delay time, n' is a random number, and T_{RFW} is a radio frequency waiting time. The communication apparatus sends, when an active communication mode is initiated, a response to the other apparatus by emitting an electromagnetic wave that prevents the other apparatus from starting an emission of electromagnetic waves to a plurality of target devices at the same time. The communication

apparatus is also configured to send, when a passive communication mode is initiated, a response from the communication apparatus to the other apparatus at a timing determined by a random number, the response including an identification (ID) to identify the communication apparatus. Independent Claim 7 has been amended similar to independent Claim 4.

With regard to Claims 4 and 7, Applicants respectfully submit that Snodgrass does not teach or suggest (i) a communication apparatus that is capable of communicating with other apparatus in active and passive modes, (ii) the communication apparatus detecting a radio frequency field within a time period before the communication apparatus responds to a request of the other apparatus, and (iii) the communication apparatus responding in the passive mode to the other apparatus at a timing determined by a random number.

In addition, Snodgrass does not teach or suggest that an ID sent from the other apparatus is determined by a random number generated in the other apparatus as required by amended Claims 1, 3, 4, and 7.

Accordingly, it is respectfully submitted that independent Claims 4 and 7 and each of the claims depending therefrom patentably distinguish over Snodgrass.

New Claims 8-10 have been added to set forth the invention in varying scope and Applicants submit the new claims are supported by the originally filed specification. New Claims 8-10 include the novel features discussed above with regard to Claims 1, 3, 4, and 7. Accordingly, it is respectfully submitted new Claims 8-10 are allowable for similar reasons as discussed above.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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